COUNCIL BILL No. 11056

AN ORDINANCE relating to the City Light Department, accepting a Statutory Warranty Deed for approximately 88.5 acres of wildlife habitat adjoining the City Light Boundary Wildlife Preserve in Pend Oreilie County, Washington. (P.M. #384308-1-301)

COMPTROLLER FILE No.

Introduced:	By:
2-17-95	<u>Garolo 1º</u>
Referred:	To:
3-12-95	1241/350W Mapri
Helerred: 310105	To: Mary
Referred	To:
Rep::ned: 989 (1 109)	Second Reading:
Third Reading:	Signed: Filt? (1 1996
Presented to Mayor:	Approved:
Returned to City Clerk:	Published:
Vetoed by Mayor:	Veto-Published;
Passed over Vata:	Veto Sustained:

The City of Seattle-Legislative D

FIB-71005

REPORT OF COMMITTEE

Honorable President:

Your Committee	on district			
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ORDINANCE 117538

AN	ORDINANCE relating to the City Light Departm a Statutory Warranty Deed for approximate	ly 88.5 acres or
	wildlife habitat adjoining the City Light Wildlife Preserve in Pend Oreille County,	Boundary
	(P.M. #384308-1-301)	

WHEREAS, pursuant to Ordinance No. 117125, Section 2., City Light negotiated the purchase of approximately 88.5 acres of wildlife habitat northeast of and adjoining its 155 acre Boundary Wildlife Preserve in north Pend Oreille County for Two Hundred Ninety Thousand Dollars (\$290,000.00); and,

WHEREAS, Lafarge Corporation, a Maryland corporation, the fee simple owner of the land at the time of purchase, has executed, recorded and delivered to the City of Seattle, a Statutory Warranty Deed for the property; and,

WHEREAS, the City Light Department has transferred funds in the amount of Two Hundred Ninety Thousand Dollars (\$290,000.00) to Lafarge Corporation, as payment of the full purchase price for the property; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the Statutory Warranty Deed executed by Lafarge Corporation and recorded under Pend Oreille County Recording No. 226690, for approximately 88.5 acres of wildlife habitat northeast of and adjoining the City Light Boundary Wildlife Preserve in north Pend Oreille County, Washington, be and the same is hereby accepted by the City of Seattle, and the property conveyed thereby, and legally described as follows:

That part of Government Lot 1 in Section 8, Township 38 North, Range 43 East, W.M., Tying east of the Idaho and Washington Northern Railroad Right of Way.

AND
The Black Diamond Placer Mining Claim;
Being the southeast quarter of the northeast quarter, and the northeast quarter of the southeast quarter of Section 8, Township 38 North, Range 43 East, W.M.;
EXCEPT the Idaho and Washington Northern Railroad Right of Way.

be and the same is hereby placed under the jurisdiction of the city Light Department.

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2	ordinance and prior to its effective date is hereby ratified
3	and confirmed.
4	Section 3. This ordinance shall take effect and be in
5	force thirty (30) days from and after its approval by the
6	Mayor, but if not approved and returned by the Mayor within
7	ten (10) days after presentation, it shall take effect as
8	provided by Municipal Code Section 1.04.020.
9	Passed by the City Council the 13 day of YMACA
10	1995, and signed by me in open session in authentication of
1).	its passage this 13 day of
12	Man X Lou 1
13	President of the City Council
14	Approved by me this 14 day of March, 1995.
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16	Mourank Kiel Mayor
17	
18	Filed by me this 21 day of March, 1995.
19	
20	- Junith & Light Clerk
21	(SEAL)
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Any act pursuant to the authority of this

Section 2.

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Seattle City Light

THE SEIVED OMP JAN 43 1995

Gory Zanker, Superintendent Norman B. Rice, Mayor

January 18, 1995

Via the Mayor's Office Attention: Office of Management and Planning

The Honorable Jane Noland, Chair Utilities and Environmental Management Committee Seattle City Council

Dear Councilmember Moland:

Request for Legislation Accepting a Statutory Warranty Deed for Wildlife Habitat, Pend Oreille County (P.M. #384308-1-301)

Pursuant to Ordinance No. 117125, City Light purchased approximately 88.5 acres of land adjacent to its existing Boundary Wildlife Preserve, in Pend Oreille County. This land was purchased in anticipation of receiving credit from the Federal Energy Regulatory Commission (FERC) for mitigation of project impacts required for the relicensing of the Boundary Hydroelectric Project.

It is, therefore, our recommendation that legislation be passed accepting the Statutory Varranty Deed conveying the above land to the city, and placing the land conveyed thereby under the jurisdiction of the City Light Department.

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Enclosures: Ordinance

Statutory Warranty Deed

Mayor Morman B. Rice CC1

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THE LAND TITLE COMPANY

P.O. Box 447; South 309 Weshington Newport, WA 99156

FILED FOR RECORD AT REQUEST OF

THE LAND TITLE COMPANY P.O. Box 447; South 309 Washington Newport, WA 99156

WHEN RECORDED RETURN TO: CITY OF SEATTLE 1015THIRD AVENUE SEATTLE WA 98104 THIS SPACE PROVIDED FOR RECORDER'S USE

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AUDITORS GRAGE

'94 DEC 28 PM 3 28

VC 16 807-808
FEC 11323414 11 10 802
FY J CLXM PEUT

Statutory Warranty Deed

THE GRANTOR

LAFARGE CORPORATION, a Maryland Corporation

for and in consideration of Ten Dollars (\$10.00) and other valuable consideration

in hand paid, conveys and warrants to

CITY OF SEATTLE ,a mmid and combration

the following described real estate, situated in the County of PEND OREILLE, State of Washington:

That part of Government lot 1 in Section 8, Township 38 North, Range 43EWM lying East of the Idaho and Washington Horthern Railroad right of way.

The Black Diamond Placer Mining Claim; being the SE1/4NE1/4 and the NE1/4SE1/4 LESS the right of way for the Idaho and Washington Northern Railroad. Section 8, Township 38 North, Range 43EWM.

SUBJECT TO:

See attached Exhibit "A".

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NOTICE

Conditions and stipulations as set forth in mineral patents; Namely: "That the grant is hereby restricted in its exterior limits to the boundaries of the said mining premises and to any veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper or other deposits, which may have been discovered within said limits subsequent to and which were not known to exist before date patent was issued. That should any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper or other valuable deposits be claimed or known to exist within the above-described premises at said last named date, the same is expressly excepted and excluded from these presents. that the premises hereby conveyed shall be held subject to any vested and accrued water rights for mining agriculture, manufacturing or other puposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local laws, customs and decisions of the courts. And there is reserved from the lands hereby granted a right-of-way thereon for ditches or canals constructed by the authority of the United States. That in the absence of necessary legislation by Congress, the Legislature of Washington may provide rules for working the mining claim. the mining claim or premises hereby granted, involving easements, drainage and other necessary means to the complete development thereof, "

Rights of the public and Pend Oreille County, Wa. in, and to, the use and maintenance of Box Canyon Road, County Road #3669.

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JAN 26 PH 4: 50

City of Seattle

Executive Department—Office FEB Lagragement and Budget

Diana Gale, Director Norman B. Rice, Mayor

SEATTLE CITY ATTORNEY

January 26, 1995

The Honorable Mark Sidran City Attorney City of Seattle

Dear Mr. Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING DEPARTMENT

City Light

SUBJECT:

AN ORDINANCE relating to the City Light Department, accepting a Statutory Warranty Deed for approximately 88.5 acres of wildlife habitat adjoining the City Light Boundary Wildlife

Preserve in Pend Oreille County, Washington.

(P.M. #384308-1-301)

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and drafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMP. Any specific questions regarding the legislation can be directed to Sherry Johnson at 684-8084.

Sincerely,

Norman B. Rice

Mayor

by

Tom Tiemey, Director

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cc: Superintendent, City Light

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FOR CITY COUNCIL PRESIDENT USE ONLY COMMITTEE(S) REFERRED TO:	olika Bolisa (h. 1865) Bernarda (h. 1865)	Jane Bland
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STATE OF WASHINGTON - KING COUNTY

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City of Seattle, City Clerk

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City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following consensus, peaced by the Caty Conserfice March 18, 1905, and published here title actly, will be satisful, at the consensus of t

ORDINANCE NO. LITTLE

AN ORDINANCE sucking an appropriation from the Commission Reserve Found, Unrestricted Account — Other, to be just to the Port of Security for the City's financial contribution towers con-struction mate of a short stay moraci-fectually on the central waterfrom.

OPDINANCE NO. HYEM.

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Publication ordered by Fivouric fur-

Die, Cing Chenk. Date off official grafitionalism in Budly consult of Consumous, Southly, Securit Isl, 1906.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT/OT 117537-117541

was published on

03/24/95

The amount of the fee charged for the foregoing publication i the sum of \$

Subscribed and sworm to before me on

03/24/95

Discusse frublic for the State of Washington, sculding im Scattle

Affidavit of Publication